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June 11, 2025

**VIA CM/ECF**

The Honorable José R. Almonte, U.S.M.J  
United States District Court for the District of New Jersey  
Martin Luther King Building & U.S. Courthouse  
Court Room PO 9  
50 Walnut Street  
Newark, New Jersey 07101

**Re: LORENZO v. THE BOROUGH OF PALISADES PARK et al.**  
**Civil Action No.: 2:23-cv-21849-CCC-JRA**

**ASHLEY V. THE BOROUGH OF PALISADES PARK, et al.**  
**Civil Action No.: 22-cv-6285-CCC**

Dear Judge Almonte:

This office represents plaintiffs David J. Lorenzo and Austin Ashley in the above-referenced matters which have been consolidated for discovery purposes. Defendants, the Borough of Palisades Park, Chong Paul Kim, and Suk "John" Min are represented by R. Scott Fahrney, Jr., Esq. Defendants Stephanie Jang and Jae Park are represented by Roshan Shah, Esq. Please accept the following joint letter on behalf of all parties summarizing the status of these cases and settlement discussions as directed by the Court in preparation for the June 17, 2025 telephone status conference. (ECF No. 57)

### **STATUS OF SETTLEMENT DISCUSSIONS**

No settlement discussions have been undertaken in this case.

As Your Honor may recall, the plaintiffs, the Borough, Mayor Kim, and Councilman Min are also engaged in litigation in New Jersey state court that relates to plaintiffs' contract-based claims for raises they were due during their terms of employment and for accrued sick and vacation pay and terminal leave they were owed upon termination.

A mediation session to address those claims was scheduled with the Honorable Robert L. Polifroni, J.S.C. ret'd on April 17, 2025. However, in January of this year, the Borough brought a claim against Mr. Lorenzo seeking disgorgement of its past payments to him for unused sick and vacation pay that plaintiffs deem a SLAPP suit. Mr. Lorenzo responded by bringing an order to show cause under the New Jersey Uniform Public Expression Protection Act, N.J.S.A. 2A:53A-49 to -61 to dismiss the Borough's claim. The order to show cause was heard on April 18, 2025 in state court. The judge reserved decision and stayed all discovery and motion practice in the state action until a ruling is made, and the parties are awaiting a ruling.

Because of those developments, the mediation session with Judge Polifroni was cancelled without date. The parties are of the opinion that because of the current unresolved issues settlement discussions would not be productive.

### **STATUS OF DISCOVERY**

The Borough has provided responses to written discovery, and simply awaiting signatures on the Certifications for Defendants Kim, and Min to the discovery demands propounded by plaintiffs. Defendants anticipate providing responses no later than June 18, 2025.

Completion of plaintiffs' responses to discovery demands propounded by the Borough, Kim, and Min on March 18, 2025 were delayed by the counsel's commitments to other ongoing matters including the response to the Borough's SLAPP suit described above and scheduled state court trials in other matters. Responses to the discovery demands are being finalized, and we anticipate providing plaintiffs' responses no later than June 16, 2025.

The parties are prepared to commence depositions as soon as possible, subject to the schedules of the witnesses and counsel. Counsel for defendants Jang and Park

is scheduled to be on trial beginning July 7, and the undersigned has a trial scheduled in Essex County Superior Court beginning August 11 in a case that is more than 5 years old.

Based on the foregoing, the parties respectfully request an extension of fact discovery through September 30, 2025 and a 60-day extension of all other dates in the Fourth Amended Scheduling Order.

The parties look forward to discussing the status of these matters during the upcoming telephone conference on June 17, 2025.

Respectfully,

s/ Leonard Seaman  
LEONARD E. SEAMAN

LES/me

cc: All counsel (via CM/ECF)  
client (via e-mail)